

REMARKS

Applicants have very carefully considered the Examiner's outstanding Final Office Action. Responding thereto, a number of depending claims have been amended either by incorporating the limitations of an existing dependent claim therein, or rewriting a dependent claim in independent form. Several of the claims have been canceled so as to reduce the outstanding issues.

The limitation from claim 5 has been incorporated into claim 1, from which claim 5 previously depended. In rejecting claim 5, the Examiner stated:

"Figure 9 of Kimmel depicts several requests to the security panel such as Health Status, Point Status, and Alarm Status requests for the system to execute thereat."
(Page 3, Office Action)

A review of Figure 9 of Kimmel et al. and the accompanying text, namely Col. 11, lines 3-41, make clear that the process disclosed in Figure 9 is different and unlike the claimed apparatus. Claim 5, now incorporated into claim 1, requires:

"a monitoring apparatus...including control circuitry to transmit software to a selected monitoring system for execution thereat." (pending claim 1)

Both Kimmel et al. and Farley are silent as to downloading executable programs to a monitoring system as claimed. The communications of Figure 9 as noted above merely relate to the transmission of requests and messages between the security panel 206 of Kimmel and the host computer 202. As made clear in Figure 9, the "health status request" transmitted from the host computer to the security panel produces in response a "health status message". Similarly, the host computer also transmits other requests, such as "point status requests", "alarm acknowledge" and "alarm disable". None of the above corresponds to the claimed "software" to be executed at the receiving claimed monitoring system. Neither Kimmel et al. nor Farley, alone

or in combination, provides a suggestion or motivation to one of skill in the art to modify Kimmel et al. so as to make the claimed invention obvious. For at least the above reasons, amended claim 1 and associated dependent claims are allowable and allowance thereof is respectfully requested.

In rejecting claims 16 and 17 as unpatentable over Kimmel et al. in view of Farley and Foodman et al., the Examiner has failed to address the substantial deficiencies of that combination. In particular, Farley was relied on previously for disclosing a “walk through test system” (page 2 Office Action) fails to address the fact that Farley teaches a form of a walk test system which enables a single individual, conducting the test, to audibly communicate therewith using units 200,240 (see Fig. 2, Farley). The individual conducting the walk through test in Farley is displaced from and would have no need for any graphical display associated with the walk test. Neither Foodman et al. nor the primary patent document, Kimmel et al., address the deficiencies of Farley. The Examiner has acknowledged on page 7 of the Office Action that:

“...there is no mention of displaying a walk test control screen...”

The above was then followed by the Examiner’s rejection of claim 16 “for the same reasons and rationale as is mentioned in the rejection of claim 1 above”.

The deficiency in the above reasons is clear in that unlike claim 1 and associated dependent claims, claims 16 and 17 each require:

“fourth software displaying a walk test control screen” (pending claims 16-24)

In summary, Kimmel et al. is completely silent as to walk tests. Foodman et al. is completely silent as to testing. Farley teaches away from the structure of claim 16 alone or in combination with Kimmel et al. and Foodman et al. in that the individual conducting of the walk test communicates audibly and wirelessly via two-way radio 200 which is coupled to computer 190. As described by Farley:

“The computer 170 converts the message received from the control panel 130 to a voice stream and sends the voice stream to the tester 170 over the communications link 230 established between the radios 200 and 240. The tester 170 hears the location (room 109) and/or address of the tripped device (140c) and verifies if the device is wired correctly, i.e., located in the correct location and zone. In another embodiment, the computer 170 can send a textual message to the pager or an e-mail message to the cellular phone.” (Col. 3, l. 64-Col. 4, l. 5, Farley)

Thus, in view of the above, Farley alone or in combination with Kimmel et al. and/or Foodman et al. teach away from the claimed structure.

Similar comments apply to the rejection of claim 28 which requires:

“a monitoring apparatus...the apparatus including interface software for displaying a walk test control screen” (pending claim 28).

Neither Kimmel et al. alone or in view of Farley provide the necessary suggestion, motivation or teaching to modify Kimmel et al. so as to make the pending claim 28 obvious.

Dependent claim 22 has been rewritten in independent form to include all the limitations of the intervening claims. Claim 22 is allowable for at least the same reasons as is claim 16 as described above. Further, as explained relative to claim 1 and associated dependent claims, none of Kimmel et al., Farley, Foodman et al. and/or Naidoo et al. alone or in combination provide a suggestion, motivation or teaching which would cause one of ordinary skill in the art to modify Kimmel et al. in accordance with claim 22 which requires, among other limitations:

“where the control software transmits, via the Internet, executable programs to at least one selected monitoring system for execution thereat.” (pending claims 22, 23)

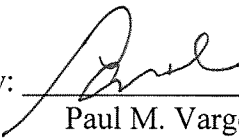
As noted above, none of the prior art relied on in rejecting claim 22 download “executable programs to at least one selected monitoring system for execution thereat” as claimed.

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Thus, for at least the above reasons the pending claims are allowable. Allowance of the application is respectfully requested.

Respectfully submitted,

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